



General Assembly

January Session, 2015

## ***Amendment***

LCO No. 8039



Offered by:

SEN. MOORE, 22<sup>nd</sup> Dist.

SEN. GOMES, 23<sup>rd</sup> Dist.

To: Senate Bill No. 880

File No. 210

Cal. No. 174

### ***"AN ACT CONCERNING RESPONSIBLE DEVELOPMENT."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (e) of section 7-421 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2015*):

6 (e) Any municipal employee shall have the right to serve on any  
7 governmental body of the town in which such employee resides except  
8 any body which has responsibility for direct supervision of such  
9 employee. Notwithstanding the provisions of this subsection, (1) no  
10 such employee shall serve on [any of the following] any board of  
11 finance created pursuant to chapter 106 or any special act or municipal  
12 charter or any body exercising the powers of a board of finance unless  
13 such employee is permitted to serve pursuant to the provisions of a  
14 municipal charter or home rule ordinance or serves because of

15 membership on the legislative body of [the] a municipality [: (A) Any  
16 board of finance created pursuant to chapter 106 or any special act or  
17 municipal charter; (B) any] having a population of less than one  
18 hundred forty thousand as shown by the most recent federal decennial  
19 census; (2) no such employee shall serve on any of the following unless  
20 such employee is permitted to serve pursuant to the provisions of a  
21 municipal charter or home rule ordinance or serves because of  
22 membership on the legislative body of the municipality: (A) Any body  
23 exercising zoning powers pursuant to chapter 124 or any special act or  
24 municipal charter; [(C)] (B) any body exercising land use powers  
25 pursuant to chapter 125a or any special act or municipal charter; [(D)]  
26 (C) any body exercising planning powers pursuant to chapter 126 or  
27 any special act or municipal charter; or [(E)] (D) any body regulating  
28 inland wetlands and watercourses pursuant to chapter 440 or any  
29 special act or municipal charter; [and (2)] (3) any municipality may, by  
30 ordinance adopted by its legislative body, authorize such employees to  
31 serve on (A) any body exercising zoning powers pursuant to chapter  
32 124 or any special act or municipal charter; (B) any body exercising  
33 land use powers pursuant to chapter 125a or any special act or  
34 municipal charter; (C) any body exercising planning powers pursuant  
35 to chapter 126 or any special act or municipal charter; or (D) any body  
36 regulating inland wetlands and watercourses pursuant to chapter 440  
37 or any special act or municipal charter; and (4) no teacher or  
38 educational paraprofessional employed by the board of education of a  
39 municipality having a population of more than one hundred forty  
40 thousand as shown by the most recent federal decennial census shall  
41 serve on such board of education.

42 Sec. 2. Subsection (a) of section 8-19 of the general statutes is  
43 repealed and the following is substituted in lieu thereof (*Effective*  
44 *October 1, 2015*):

45 (a) Any municipality may create by ordinance a planning  
46 commission, which shall consist of five members, who shall be electors  
47 of such municipality and whose terms of office and method of election

48 or appointment shall be fixed in the ordinance. The ordinance may  
49 provide that members may be municipal employees if the municipality  
50 has adopted an ordinance authorizing such membership pursuant to  
51 the provisions of subparagraph (C) of subdivision [(2)] (3) of  
52 subsection (e) of section 7-421, as amended by this act. The chief  
53 executive officer of the municipality and the engineer thereof or  
54 commissioner of public works, if any, shall also be members of the  
55 commission, without voting privileges. The terms of office shall be so  
56 arranged that the terms of not more than three members shall expire in  
57 any one year. Unless otherwise provided by charter, vacancies shall be  
58 filled by the commission for the unexpired portion of the term. Upon  
59 the adoption of this section by ordinance as herein provided, and the  
60 appointment or election of a commission thereunder, any planning  
61 commission in the municipality established under any previous act of  
62 the General Assembly shall cease to exist, and its books and records  
63 shall be turned over to the commission established under this section,  
64 provided all regulations promulgated by such planning commission  
65 prior to that time shall continue in full force and effect until modified,  
66 repealed or superseded in accordance with the provisions of this  
67 chapter. The area of jurisdiction of a planning commission created by a  
68 town includes any city or borough therein without a legally  
69 constituted planning commission for all planning purposes except  
70 those specified in sections 8-24 and 8-29. Powers granted under said  
71 sections may be delegated by the legislative body of such city or  
72 borough to the planning commission of the town in which such city or  
73 borough is situated. Any city or borough in which a planning  
74 commission has been previously established may, by ordinance,  
75 designate the commission established under this section in the town in  
76 which such city or borough is situated to be the planning commission  
77 of such city or borough, and such commission shall supersede the  
78 planning commission previously established in such city or borough.  
79 The commission shall elect a chairman and a secretary from its  
80 members, shall adopt rules for the transaction of business and shall  
81 keep a public record of its activities. The planning commission of each  
82 municipality shall file an annual report with the legislative body

83 thereof."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	7-421(e)
Sec. 2	<i>October 1, 2015</i>	8-19(a)